JUSTICE UPDATE
Saskatchewan Justice
2006

The Assessment Management Agency Amendment Act, 2006 *

(Bill 4) Chapter 2

This bill makes a series of technical changes to accommodate the move to a market value based property assessment system from the previous fair value system.

The Act repeals unused provisions regarding the phasing in of assessed values resulting from revaluation. The Act authorizes the posting of copies of assessment audit reports on the Saskatchewan Assessment Management Agency (SAMA) website and the maintenance of a central database of property assessments by SAMA.

Subsections 6(1), 7(1) and 7(2) came into force on January 1, 2009 in co-ordination with the final move to the market value based property assessment system. The balance of the Act came into force on April 27, 2006.

The Boiler and Pressure Vessel Amendment Act, 2006 *

(Bill 21) Chapter 3

This Act amends *The Boiler and Pressure Vessel Act, 1999* to remove references requiring the periodic inspection of pressure piping systems and include references to permit inspection of pressure fittings during fabrication. The Act also provides that fees and charges will be prescribed in the regulations.

This Act came into force on April 27, 2006.

The Business Names Registration Amendment Act, 2006

(Bill 47) Chapter 14

The amendments to *The Business Names Registration Act*:

- expand the scope of the Act to include Indian bands and limited partnerships as entities that can register business names. The amendments parallel provisions in *The Partnership Amendment Act, 2006* that enable Indian bands and limited partnerships to become partners within the meaning of that Act;
- repeal the exemption for agricultural producers, thereby allowing them to protect the exclusive use of their business name and putting them on an equal footing with other businesses;
- modify the exemption for professionals. The amendments leave the exemption in place for professionals who practice under their own surname, or the surnames of others who are, or who have been, associated with the firm. Professionals carrying on business under a "generic" name, or a name associated with a geographic location which does not include a surname, will need to register under the Act;
- make a number of housekeeping amendments to the Act.

This Act came into force on November 9, 2006.

The Cancer Agency Act

(Bill 54) Chapter C-1.1

This Bill:

- repeals *The Cancer Foundation Act*, and renames the Saskatchewan Cancer Foundation as the Saskatchewan Cancer Agency;
- establishes the board of the agency;
- provides that the contract of employment between the agency and its chief executive officer are subject to the rules set out in sections 31 and 32 of *The Regional Health Services Act*;
- sets out the responsibilities and powers of the agency;
- sets out rules for the collection, use and disclosure of information in the cancer registry; and
- requires the agency to prepare an annual report and be audited annually.

This Act came into force on January 2, 2007.

The Cities Amendment Act, 2006 *

(Bill 5) Chapter 4

This amending Act provides for a series of changes to accommodate the introduction of a market value based property assessment system in 2009 for urban residential and commercial properties.

The Act removes the requirement that a municipality obtain the consent of all other municipalities that levy rates on behalf of a taxing authority before exempting property from taxation, but retains the requirement to obtain the consent of the taxing authority. It enables the appointment of a youth member of a city council in a non-voting capacity. It makes a large number of housekeeping amendments, including amendments to the procedures and timelines for assessment appeals.

Finally, the Act provides for enhanced enforcement procedures for parking offences including the immobilization, seizure, impoundment and sale of vehicles to enforce unpaid fines.

Several provisions came into force on January 1, 2007. The provisions related to the implementation of the market value based property assessment system came into force on January 1, 2009. The balance of the Act came into force on April 27, 2006.

The Consumer Protection Amendment Act, 2006 *

(Bill 12) Chapter 15

This Act repeals *The Sale of Training Courses Act* and amends *The Consumer Protection Act* to set out new rules regarding the following types of contracts:

- Future performance contracts - contracts where the delivery of the goods or services or the payment for the goods or services is not completely made when the parties enter into the contract;
- Personal development services contracts - contracts for services related to health, fitness, dieting, modelling, talent, martial arts, sports, dancing or similar activities and other prescribed services for which payment in advance is required;
- Travel club contracts - contracts where a consumer, through a membership in a travel club, acquires the right to discounts or other benefits on the purchase of transportation, accommodation or other services related to travel;
- Remote contracts - contracts where the consumer and the supplier are not present together (e.g. agreements concluded by phone, fax or mail).

The amendments include:

- requiring contracts to be in writing and to contain specific information;
- providing that a consumer may cancel a future performance contract if the supplier does not make the delivery within 30 days after the delivery date specified in the contract;
- limiting the term of personal development services contracts to no more than two years and prohibiting suppliers from requiring or accepting prepayment of fees for any periods totalling more than 12 months;
- prohibiting a supplier from receiving payment for personal development services that are not available at the time the payment is made except if the payment is made to a trust corporation;
- requiring suppliers to give consumers the option to pay monthly instalments;
- allowing a consumer, without reason, to cancel a personal development services contract within seven business days of entering into the contract;
- allowing a consumer to cancel a personal development services contract if there has been a prescribed change in the consumer's personal circumstances or the services provided by the supplier;
- limiting the term of travel club contracts to no more than one year;
- prohibiting travel club operators from requiring or accepting prepayment of fees in an amount greater than the prescribed amount;
- allowing a consumer, without reason, to cancel a travel club contract within ten days of entering into the contract;
- allowing a consumer to cancel a remote contract at any time from the date the contract is entered into until 7 days after the consumer receives a copy of the contract if the supplier fails to disclose the required information to the consumer;
- allowing a consumer who makes a remote purchase using a credit card to obtain a refund from the credit card company, if the supplier fails to provide a refund after the consumer has exercised a right of cancellation.

This Act came into force on October 15, 2007.

The Corporation Capital Tax Amendment Act, 2006

(Bill 63) Chapter 16

Effective July 1, 2006, the corporation capital tax rate will be reduced to 0.3%; on July 1, 2007 the rate will be reduced to 0.15%; on July 1, 2008 the rate will be reduced to 0%. These changes do not apply to financial institutions and Crown corporations.

The Bill reduces the corporation capital tax resource surcharge rate levied on resource production to 3.3% on July 1, 2006, to 3.1% on July 1, 2007, and to 3.0% on July 1, 2008.

The Bill also introduces a non-refundable tax credit for new capital invested in Saskatchewan after June 30, 2006 and before July 1, 2008 that will be applied against a corporation's corporation capital tax liability.

This Act came into force on May 19, 2006.

The Cost of Credit Disclosure Amendment Act, 2006 *

(Bill 24) Chapter 5

The amendments contained in this Act made it possible to proclaim *The Cost of Credit Disclosure Act, 2002*. Proclamation of the 2002 Act was delayed by provisions in federal regulations which did not conform in all areas with the harmonized legislation passed in Saskatchewan and several other provinces. To be consistent with the federal regulations, the amendments repeal the provision that requires credit grantors to disclose the Annual Percentage Rate (APR) for "open" credit (i.e., revolving credit such as lines of credit).

In addition, this Bill transfers to *The Cost of Credit Disclosure Act, 2002* provisions regarding unsolicited credit cards which were previously found in *The Consumer Protection Act*, introduces additional service and delivery provisions and amends the provisions regarding default charges to make it clear that the ability for credit grantors to charge borrowers for defaulting on payments is subject to the restrictions contained in *The Limitation of Civil Rights Act* and *The Saskatchewan Farm Security Act*.

This Act came into force on October 1, 2006.

The Economic and Co-operative Development Amendment Act, 2006

(Bill 53) Chapter 17

This amending legislation provides authority for the Information Technology Office to provide and charge for the information technology and related services it provides to public agencies named in the regulations.

"Public agencies" include:

- the Legislative Assembly Service and the office of an officer of the Legislature;
- a Treasury Board Crown corporation or designated Treasury Board Crown corporation as defined by *The Crown Corporations Act, 1993*; and
- any board, commission, institution, body or person that derives its funds, in whole or in part, from the Government of Saskatchewan.

This Act came into force on May 19, 2006.

The Education Amendment Act, 2006 / Loi de 2006 modifiant la Loi de 1995 sur l'éducation

(Bill 59) Chapter 18

This Bill:

- establishes school community councils, to replace district boards of trustees and local school advisory committees;
- amends the fiscal year for school divisions and the conseil scolaire from January 1 to December 31, to September 1 to August 31. The change will be implemented in two stages. A transitional fiscal year will cover the period from January 1 to August 31, 2006. The first full new fiscal year will cover the period from September 1, 2006 to August 31, 2007. Consequential amendments to municipal legislation are made respecting the timelines for transmission of interim and annual statements of account of school taxes;
- makes a series of housekeeping amendments.

The provisions respecting the change in fiscal year are retroactive in effect to January 1, 2006. The balance of the Act came into force on May 19, 2006.

The Education Amendment Act, 2006 (No. 2) / Loi de 2006 modifiant la Loi de 1995 sur l'education

(Bill 4) Chapter 38

This Act makes several amendments to the process for formation of separate school divisions. These changes:

- increase the number of electors required to petition the minister from 3 to 6;
- require petitions be submitted to the minister by November 1 in the year before the school year in which the separate school division is to be established;
- increase the public notice period respecting a proposed petition to the minister from 8 to 30 days;
- require the petitioners to give 10 days notice prior to the public meeting of separate school electors;
- extend the period of time between the public meeting and the poll being taken of minority faith electors for or against the petition from 3 days to 21 days; and

- require notification of the poll to be published in at least one local newspaper and posted in at least 6 public places in the proposed separate school division at least 10 days before the day of the poll.

Other changes outline the process to allow a school community council representing more than one school to separate into more that one council and clarify the membership of such councils and their terms of appointments.

This Act came into force on November 22, 2006.

The Evidence Act / Loi sur la preuve

(Bill 60) Chapter E-11.2

This Act, which repeals and replaces *The Saskatchewan Evidence Act* and *The Recording of Evidence by Sound Recording Machine Act*:

- includes rules for determining the laws of other jurisdictions;
- includes the general rule respecting the competence and compellability of witnesses and includes provisions respecting spouse witnesses;
- provides that, in a prosecution, the failure of an accused to testify or the refusal of a spouse to disclose a marital communication is not to be the subject of comment by the court or prosecutor;
- updates definitions respecting the privilege relating to proceedings before quality improvement committees;
- provides that the reports of psychologists, physical therapists and occupational therapists, as well as doctors, dentists and chiropractors, are admissible without proof of the professional's signature, qualifications or licence;
- gives equal weight to the options of swearing an oath or making an affirmation;
- updates provisions respecting the recording of evidence;
- updates provisions dealing with judicial notice and proof of public documents;
- updates provisions respecting business records.

This Act came into force on September 1, 2006.

The Evidence Consequential Amendments Act, 2006

(Bill 61) Chapter 19

The Evidence Act was passed in English and French and includes consequential amendments to other Acts passed in English and French. This amendment Act makes consequential amendments to Acts passed in English only.

This Act came into force on September 1, 2006.

The Film and Video Classification Amendment Act, 2006

(Bill 30) Chapter 20

This Act amends *The Film and Video Classification Act* to allow for the regulation of video and computer games, including:

- adding a definition of "video game" to encompass various types of interactive game software, including video, computer and online games;
- requiring all video games to be classified, unless exempted in the regulations;
- requiring "adult video games" to be approved;
- providing an exemption from the Act's registration requirements for businesses that only distribute video games;
- establishing penalties for retailers who sell or rent age-inappropriate material to children; and
- updating penalties for non-compliance with the Act.

This Act will come into force on proclamation.

The Forestry Professions Act

(Bill 22) Chapter F-19.2

This new professions legislation governs the competency and conduct of forestry professionals in Saskatchewan. The Act establishes the Association of Saskatchewan Forestry Professionals. The Act gives the association authority to make administrative and regulatory bylaws, including bylaws setting out the qualifications, standards and tests of competency for the registration of persons as members, the procedures governing the registration of persons as members and a code of ethics for members. The bylaws must be approved by the Minister of Environment and the association must file an annual report with the Minister of Environment.

The Act provides for voluntary registration and does not exclude individuals from the practice of forestry. The Act protects the titles of "Registered Professional Forester", "Registered Forester", "Professional Forester", "Registered Professional Forest Technologist", "Registered Forest Technologist" and "Professional Forest Technologist", "Forester-in-Training" and "Forest Technologist-in-Training".

This Act came into force on April 27, 2006.

The Highways and Transportation Amendment Act, 2006 *

(Bill 15) Chapter 6

This Act sets out the rules and procedures that apply where persons obstruct or interfere with the public's access to or use of a public highway, and increases the maximum fine for this offence.

The provision authorizing the Highways Revolving Fund is repealed and all rights and obligations of that fund become the rights and obligations of the general revenue fund.

This Act came into force on April 27, 2006.

The Income Tax Amendment Act, 2006

(Bill 64) Chapter 21

The general corporate income tax rate is reduced to 14% on July 1, 2006, to 13% on July 1, 2007, and to 12% on July 1, 2008.

The income threshold for the small business corporate income tax rate is increased to $400,000 on July 1, 2006, $450,000 on July 1, 2007 and $500,000 on July 1, 2008.

The non-refundable investment tax credit for manufacturing and processing is converted to a refundable credit for eligible capital acquisitions made after April 6, 2006. The carry-forward period for unused unexpired credits earned in respect to previous acquisitions is extended from seven years to ten years.

A new personal income tax credit is created beginning in the 2006 taxation year for the cost of tools required to be purchased by employee tradespersons as a condition of employment. It consists of a one-time entry amount plus an annual maintenance amount.

Sections 3 and 6 are retroactive in effect to January 1, 2004. Sections 4 and 5, subsections 8(1) and (3) and section 17 are retroactive in effect to January 1, 2006. Section 7, subsection 8(2) and sections 9, 14 and 15 came into force on July 1, 2006. Sections 10, 11, 12, 13 and 16 are retroactive in effect to April 7, 2006. The balance of the Act came into force on May 19, 2006.

The Income Tax Amendment Act, 2006 (No. 2)

(Bill 36) Chapter 40

This Bill:

- makes amendments to the dividend tax credit, required as a result of amendments to the *Income Tax Act* (Canada), effective January 1, 2006;
- reduces the corporate small business tax rate from 5% to 4.5% effective January 1, 2007;
- reduces the rate of the corporate investment tax credit for eligible manufacturing or processing assets from 7% to 5%, effective October 28, 2006; and
- provides for some technical housekeeping amendments.

This Act came into force on December 6, 2006, however most of the provisions are either retroactive in effect or came into force on January 1, 2007.

The Income Trust Liability Act

(Bill 40) Chapter I-2.02

This legislation, which is similar to legislation recently introduced in Alberta, Ontario and Manitoba, provides beneficiaries of a Saskatchewan income trust (i.e., a trust governed by the laws of Saskatchewan, that is a reporting issuer within the meaning of *The Securities Act, 1988*) with limited liability protection similar to that enjoyed by shareholders of a corporation.

This Act came into force on May 19, 2006.

The Infrastructure Fund Act

(Bill 35) Chapter I-9.01

This legislation establishes the Saskatchewan Infrastructure Fund. The fund consists of amounts transferred to the Infrastructure Fund from the General Revenue Fund. The Act provides that the purpose of the Infrastructure Fund is to provide money that may be used to support the provision and maintenance of infrastructure in Saskatchewan.

This Act came into force on December 6, 2006.

The Interpretation Amendment Act, 2006 / Loi de 2006 modifiant la Loi d'interprétation de 1995

(Bill 35) Chapter 22

This Act amends *The Interpretation Act, 1995* to update indemnification and insurance provisions for corporations that are created by legislation other than *The Crown Corporations Act, 1993* or other general incorporation statutes such as *The Business Corporations Act*. Amendments include the following:

- authorize indemnification to any individual who serves at the request of the corporation as a director or officer of another entity in which the corporation has no shares or debt;
- add costs incurred in an investigative proceeding to the list of proceedings for which indemnity may be provided;
- authorize the advancement of costs for indemnification prior to completion of final settlement or a final decision;
- mandate indemnification if there is a finding of no fault by the court rather than only where the court directs indemnification;
- remove the restriction on a corporation purchasing liability insurance for actions taken other than in good faith by officers and directors; and
- provide that an officer or director has met his or her duty of care when relying in good faith on financial statements or reports of professionals.

A further amendment adds the ability to use regulations to define terms that are used in an Act but not otherwise defined if that Act has general regulation making authority.

This Act came into force on May 19, 2006.

The Labour Market Commission Act

(Bill 34) Chapter L-0.11

This new Act establishes the Saskatchewan Labour Market Commission to provide a forum where business and labour can discuss labour market issues and provide advice to the Minister on provincial, regional and sectoral labour market issues, trends and strategies. The Act sets out the membership requirements for the commission, the general powers of the commission, the objects of the commission and establishes annual accounting requirements.

This Act came into force on February 7, 2007.

The Labour Standards Amendment Act, 2006

(Bill 1) Chapter 41

The Labour Standards Amendment Act, 2006 amends *The Labour Standards Act* to add "Family Day" to the list of public holidays to be observed in Saskatchewan. "Family Day" is defined as the third Monday in February. The Act also makes a series of English-only consequential amendments to other provincial legislation to add Family Day to the list of public holidays mentioned in those Acts.

This Act came into force on December 6, 2006.

The Labour Standards Consequential Amendments Act, 2006

(Bill 29) Chapter 42

The Labour Standards Consequential Amendments Act, 2006 makes bilingual consequential amendments to add Family Day to the list of public holidays mentioned in *The Education Act, 1995* and *The Interpretation Act, 1995.*

This Act came into force on December 6, 2006.

The Local Government Election Amendment Act, 2006

(Bill 45) Chapter 23

This amending legislation introduces a series of changes that will:

- clarify the provisions related to filling vacancies on a rural municipality (RM) council;
- update the definition of "voter";
- require the appointment of an agent for a candidate in an RM election to be made in a prescribed form and require that agent to make a declaration similar to a declaration required from a candidate's agent in an urban municipality or school division election;
- allow a candidate's agent to object to the entitlement of a person to vote in an RM election; and
- provide authority for urban municipalities and school divisions to enter into an agreement with an RM to conduct a "joint election".

The Act also provides for a series of housekeeping amendments to accommodate the incorporation of the rural election procedures from *The Rural Municipality Act, 1989* into this legislation.

This Act came into force on May 19, 2006.

The Medical Radiation Technologists Act, 2006

(Bill 43) Chapter M-10.3

This Act continues the Saskatchewan Association of Medical Radiation Technologists. It reserves to members of the association the professional titles "Medical Radiation Technologist", "Medical Radiological Technologist", "Medical Radiation Therapist", "Nuclear Medicine Technologist" and "Magnetic Resonance Technologist". The Act provides for the duty and objects of the association, the membership of the association, the management by a council, the authority of the council to make administrative and regulatory bylaws

and professional discipline procedures. The Act provides for three public representatives to be appointed by the Lieutenant Governor in Council as members of the council.

This Act came into force on May 30, 2011.

The Meewasin Valley Authority Amendment Act, 2006

(Bill 52) Chapter 24

This Act amends *The Meewasin Valley Authority Act* to:

- provide that provincial Crown land that was occupied or used at the time *The Meewasin Valley Authority Act* came into force becomes subject to the Act, except Saskatchewan Power Corporation land;
- provide that lands owned by the Meewasin Valley Authority be subject to the Act; and
- update references to other Acts and make other housekeeping amendments.

This Act came into force on May 19, 2006.

The Miscellaneous Statutes (Accounting Professions) Amendment Act, 2006

(Bill 31) Chapter 25

This amendment Act updates six statutes and four regulations to provide that legislative references to duties to be performed by accountants include certified general accountants and certified management accountants in addition to chartered accountants.

This Act came into force on May 19, 2006.

The Miscellaneous Statutes (Directors' and Officers' Indemnification and Insurance) Amendment Act, 2006

(Bill 37) Chapter 26

This Act amends *The Business Corporations Act, The New Generation Co-operatives Act, The Credit Union Act, 1998* and *The Crown Corporations Act, 1993* to update the indemnity and insurance provisions. The amendments track recent changes made to the *Canada Business Corporations Act* and mirror similar amendments to *The Interpretation Act, 1995*. The amendments include changes to:

- authorize indemnification to any individual who serves at the request of the corporation as a director or officer of another entity in which the corporation has no shares or debt;
- add costs incurred in an investigative proceeding to the list of proceedings for which indemnity may be provided;
- authorize advancement of costs for indemnification prior to completion of final settlement or a final decision;
- mandate indemnification if there is a finding of no fault by the court rather than only where the court directs indemnification;
- remove the restriction on a corporation purchasing liability insurance for actions taken other than in good faith by officers and directors; and
- provide that an officer or director has met his or her duty of care when relying in good faith on financial statements or reports of professionals.

The Act came into force on May 19, 2006.

The Miscellaneous Statutes (Directors' and Officers' Indemnification and Insurance) Amendment Act, 2006 (No.2) / Loi corrective (indemnisation et assurance au profit des administrateurs et dirigeants) de 2006 (nº2)

(Bill 36) Chapter 27

This Act amends *The Non-profit Corporations Act, 1995* and *The Co-operatives Act, 1996* to update the indemnity and insurance provisions. The amendments track recent changes to the *Canada Business Corporations Act* and mirror similar amendments to

The Interpretation Act, 1995. The amendments include changes to:

- authorize indemnification to any individual who serves at the request of the corporation as a director or officer of another entity in which the corporation has no shares or debt;
- add costs incurred in an investigative proceeding to the list of proceedings for which indemnity may be provided;
- authorize the advancement of costs for indemnification prior to completion of final settlement or a final decision;
- mandate indemnification if there is a finding of no fault by the court rather than only where the court directs indemnification;
- remove the restriction on a corporation purchasing liability insurance for actions taken other than in good faith by officers and directors; and

- provide that an officer or director has met his or her duty of care when relying in good faith on financial statements or reports of professionals.

This Act came into force on May 19, 2006.

The Municipalities Amendment Act, 2006 *

(Bill 6) Chapter 7

This amending Act provides for a series of amendments including:

- amendments to accommodate the introduction of a market value based property assessment system in 2009 for urban residential and commercial properties;
- authorization for the appointment of a non-voting youth member of a municipal council;
- removal of the requirement for a municipality to obtain the consent of all other municipalities that levy rates on behalf of a taxing authority to exempt property from taxation while retaining the requirement to obtain the consent of the taxing authority;
- amendments to enhance the ability to immobilize, impound, seize and/or sell vehicles in the enforcement of municipal parking offences; and
- a large number of housekeeping amendments, including amendments to the procedures and timelines for assessment appeals.

This Act came into force on April 27, 2006. Certain provisions are retroactive in effect to January 1, 2006, and several provisions came into force on January 1, 2007. The provisions related to the implementation of the market value based property assessment system came into force on January 1, 2009.

The Municipal Revenue Sharing Amendment Act, 2006

(Bill 62) Chapter 28

This amending legislation establishes the amount of the municipal revenue sharing grants for the 2006-07 fiscal year and for subsequent fiscal years. A further amendment authorizes the Legislative Assembly to appropriate additional amounts for revenue sharing grants in any year.

The Act also repeals section 10 regarding the provision of municipal revenue sharing grants to organized hamlets as this will now be addressed under *The Rural Municipality Revenue Sharing Regulations*.

This Act came into force on April 1, 2006.

The Parks Amendment Act, 2006

(Bill 48) Chapter 29

This Act makes a number of changes to *The Parks Act*, including:

- setting out a new fee structure for Saskatchewan provincial park recreational leases, whereby cottage owners are charged annual fees comprised of:
- a service fee based on direct service costs; and
- a land lease fee;
- providing that the holder of a recreational lease may appeal the land lease fee;
- providing authority to make regulations regarding appeals of land lease fees, including prescribing the time within which and the manner in which appeals may be made, determining to whom appeals are to be made and respecting any rules governing the hearing and determining of appeals;
- providing that any person who paid money to the Crown before April 1, 2004 pursuant to the Act or the regulations as fees for leasing a cottage or operating a commercial lease on provincial park lands based on assessed building values or gross revenues is not entitled to a refund of any of the money paid; and
- revising the schedule of lands to correct errors in the description of park boundaries.

This Act came into force on May 19, 2006.

The Partnership Amendment Act, 2006

(Bill 41) Chapter 30

The Partnership Amendment Act, 2006 contains a new definition of "person" that includes Indian bands and limited partnerships. The amendments make it clear that individuals, corporations, limited partnerships and Indian bands can be general partners under Part I of the Act. In addition, individuals, corporations, other limited partnerships and Indian bands are now eligible to be partners in a limited partnership.

A further amendment requires that individuals must have attained the age of majority to be eligible for partnership.

This Act came into force on May 19, 2006.

The Police and Peace Officers' Memorial Day Act

(Bill 49) Chapter P-15.02

This new Act formally recognizes the last Sunday in September of every year as "Police and Peace Officers' Memorial Day" in Saskatchewan.

This Act came into force on May 19, 2006.

The Provincial Sales Tax Amendment Act, 2006

(Bill 2) Chapter 43

This Act:

- reduces the provincial sales tax rate from 7% to 5%;
- reduces the provincial sales tax rate applicable to mobile homes, modular homes and ready-to-move homes from 3.5% to 2.5%;
- changes the price range at which the minimum tax of 2¢ applies from 26¢ to 35¢ to 26¢ to 49¢; and
- reduces the applicable tax rate to be used in the formula for calculating the amount of the tax payable with respect to certain interjurisdictional vehicles.

This Act is retroactive in effect to October 28, 2006.

The Queen's Bench (Mediation) Amendment Act, 2006/Loi de 2006 modifiant la Loi de 1998 sur la Cour du Banc de la Reine (médiation)

(Bill 50) Chapter 31

This Act amends *The Queen's Bench Act, 1998* to provide that evidence directly arising during the course of mediation or at a pre-trial conference is not admissible in any civil, administrative, regulatory or provincial offence proceeding. *The Small Claims Act, 1997* includes the same amendments with respect to the mediation and case management provisions. The mediation provisions of *The Children's Law Act, 1997* and *The Family Maintenance Act, 1997* are also amended to be consistent with these changes.

These changes came into force on May 19, 2006.

The Reclaimed Industrial Sites Act

(Bill 55) Chapter R-4.21

The Act establishes the Institutional Control Program, a legal framework for returning Crown land held under surface lease to the province when mining activities have been completed, including full decommissioning and reclamation. Under the program the province will accept responsibility for long-term monitoring and maintenance of the land. The Act specifies the legal, financial, and administrative arrangements under which the province will accept responsibility for the land. It establishes an Institutional Control Registry, which will be open to the public, to maintain a record of all land accepted into the program.

The Act also establishes an Institutional Control Monitoring and Maintenance Fund and an Institutional Control Unforeseen Events Fund to cover the costs of monitoring and maintenance of the land. The Act requires the Minister of Industry and Resources to prepare an annual report on the business of the funds, and a report every five years on the condition of all land in the program. The Minister is also required to conduct a review of the Act within five years after it comes into force.

This Act came into force on March 1, 2007.

The Recognition of Telemiracle Week Act

(Bill 204) Chapter R-4.4

This Act declares the week immediately before the Telemiracle television fundraiser in each year to be Telemiracle week in Saskatchewan.

This Act came into force on May 19, 2006.

The Regional Health Services Amendment Act, 2006

(Bill 51) Chapter 32

The Regional Health Services Amendment Act, 2006 takes the accountability framework that governs regional health authorities and health organizations and extends it to the Saskatchewan Cancer Agency by:

- allowing the Minister of Health to issue directives to the agency;
- providing for standards to be prescribed with respect to cancer care services and facilities;
- providing for the administrative powers of the agency;
- requiring the agency to make bylaws with respect to its internal organization, proceedings and conduct of its affairs;
- providing that agency bylaws are subject to the minister's approval;
- allowing public access to the agency's bylaws and board minutes;
- providing that meetings of the agency board are open to the public;
- requiring the agency to prepare an annual operational plan and financial and health service plan;

- requiring the agency to formally report critical incidents in accordance with the Act;
- specifying the insurance coverage the agency is required to maintain; and
- allowing municipalities to enter into funding agreements with the agency.

This Act came into force on January 2, 2007.

The Residential Tenancies Act, 2006

(Bill 56) Chapter R-22.0001

The Residential Tenancies Act, 2006 will replace *The Residential Tenancies Act*. This new Act uses modern, easy-to-understand language to provide clarity and predictability to landlord tenant relationships. The Act also expands the scope of the present legislation by including tenancies in rural areas and the rental of hotel/motel and "vacation" premises where the tenancy is of more than six months' duration. The regulations will contain a set of standard conditions that apply to all residential tenancies and will provide an easy to understand code of the basic rights and obligations of landlords and tenants. The new Act also outlines the circumstances under which tenancies may be terminated. New provisions outline the obligations of tenants to keep rental units clean and in good repair during and at the end of tenancy. The security deposit and dispute resolution regimes under the existing Act are carried forward with only minor revisions. The Rentalsman under the current legislation will become the Director of Residential Tenancies.

This Act came into force on March 1, 2007.

The Residential Tenancies Consequential Amendment Act, 2006 / Loi de 2006 portant modification corrélative à la loi intitulée The Residential Tenancies Act, 2006

(Bill 57) Chapter 33

The Residential Tenancies Consequential Amendment Act, 2006 contains amendments made necessary by *The Residential Tenancies Act, 2006*. Although the majority of the consequential amendments are contained in that Act itself, the amendments to *The Co-operatives Act, 1996* are bilingual and form a separate Bill.

This Act came into force on March 1, 2007 when *The Residential Tenancies Act, 2006* came into force.

The Respiratory Therapists Act

(Bill 42) Chapter R-22.0002

This Act establishes the College of Respiratory Therapists to be responsible for regulating respiratory therapists. The Act reserves professional titles to members of the College. It provides for the duty and objects of the college, the membership of the college, the management by a council, the authority of the council to make administrative and regulatory bylaws and professional discipline procedures. The Act provides for three public representatives to be appointed by the Lieutenant Governor in Council as members of the council.

This Act came into force on April 1, 2009.

The Saskatchewan Watershed Authority Amendment Act, 2006

(Bill 39) Chapter 34

This Act amends *The Saskatchewan Watershed Authority Act, 2005* to provide that an order made pursuant to *The Saskatchewan Watershed Authority Act* that was in effect when *The Saskatchewan Watershed Authority Act, 2005* came into effect, continues in effect pursuant to the latter.

This Act is retroactive in effect to May 27, 2005.

The Securities Amendment Act, 2006 *

(Bill 18) Chapter 8

This legislation allows the Saskatchewan Financial Services Commission to delegate its powers under *The Securities Act, 1988* to regulators in the home jurisdictions of issuers based in other provinces and to accept similar delegation by regulators in other provinces. In addition, the Bill allows Saskatchewan to adopt or incorporate the securities laws of other Canadian jurisdictions, and to deem compliance with other Canadian, and in some cases, foreign jurisdictions, as constituting compliance with Saskatchewan securities laws. In addition, this Bill contains housekeeping amendments which will allow for the adoption of uniform National Instruments and includes consequential amendments to *The Credit Union Act, 1990* and *The Co-operatives Act, 1996*.

This Act came into force on June 1, 2006.

The Settlement of International Investment Disputes Act / Loi sur le règlement des différends internationaux relatifs aux investissements

(Bill 38) Chapter S-47.2

This new Act implements the *1965 World Bank Convention on the Settlement of Investment Disputes between States and Nationals of Other States*. The Convention sets up voluntary arbitration and conciliation procedures between states and corporations or individuals from other countries in cases of investment disputes. The Convention also established the International Centre for Settlement of Investment Disputes (ICSID) to co-ordinate and conduct the conciliations and arbitrations required under the Convention. ICSID operates on a voluntary, contractual basis and the mechanisms for conciliation and arbitration to be used are chosen by the parties at the time they enter into their initial relationship.

The Convention will not come into effect in Canada until every jurisdiction in Canada has passed similar implementing legislation. The Act requires the minister to publish in the Gazette the day on which the Convention will come into force in Saskatchewan.

This Act came into force on May 19, 2006.

The Snowmobile Amendment Act, 2006

(Bill 46) Chapter 35

This Act removes the requirement for trail permits on designated snowmobile trails, but allows for regulations to be made requiring trail permits. The responsibilities of the trail manager and the requirements for administration of the Saskatchewan Snowmobile Fund are revised. The Act provides for the trail manager to be appointed by the Lieutenant Governor in Council. A provision requires the annual report and audited financial statement of the fund to be tabled in the Legislative Assembly. Finally, a provision requires snowmobile licence plates to be displayed on the lower left-hand side toward the rear of the snowmobile.

This Act came into force on May 19, 2006.

The Teachers' Federation Act, 2006

(Bill 44) Chapter T-7.1

This Bill updates terminology, reorganizes sections of the current Act, and adds new provisions to more accurately describe the management, governance, professional and business practices of the Saskatchewan Teachers' Federation. It sets out:

- general powers and responsibilities of the federation, the council and the executive;
- bylaw-making powers;
- requirements for membership;
- regulatory provisions respecting the pension plans administered by the federation;
- the discipline process for dealing with complaints that a teacher is guilty of professional incompetence, professional misconduct or conduct not becoming to a teacher;
- rules governing the collective interests of teachers, including a process for the federation to reprimand or fine a teacher who acts contrary to the collective interests of teachers.

This Act came into force on July 1, 2006.

The Tobacco Tax Amendment Act, 2006

(Bill 16) Chapter 44

This amendment Act:

- increases the tax on cigarettes from 17.5 cents per cigarette to 18.3 cents per cigarette; and
- increases the tax on every gram of tobacco, other than cigarettes, tobacco sticks and cigars, from 17.5 cents to 18.3 cents per gram.

The amendments are retroactive in effect to October 28, 2006.

The Traffic Safety Amendment Act, 2006 *

(Bill 26) Chapter 9

This Act establishes an immediate 24-hour licence suspension for drivers who fail a field sobriety test as a result of the consumption of alcohol or drugs. The suspension can be terminated if the driver undergoes a test that indicates he or she is not impaired by drugs or does not have a blood alcohol content over .04 (or in the case of a new driver has no alcohol in his or her body).

Another amendment provides for a licence suspension of 15 days or more where a driver receives a second .04 blood alcohol content violation within a five year period, and of not less than 90 days for a third or subsequent violation within five years. A new provision specifies a peace officer's authority to stop motor vehicles and request information from the driver.

A number of minor amendments clarify provisions that apply to drivers and non-drivers by separating offences to enable drivers and non-drivers to be charged under separate provisions. The exception for persons not resident in Saskatchewan from the requirement to obtain a driver's licence or vehicle registration has been amended to remove the reference to residing in Saskatchewan for 90 days and instead, refer to being a non-resident. New provisions set out rules for stopping at stop signs and crosswalks.

Most of the Act came into force on July 1, 2006. The provisions amended to refer specifically to drivers and non-drivers came into force on December 1, 2006. The provisions applicable to non-residents came into force on July 1, 2013.

The Trustee Amendment Act, 2006 *

(Bill 19) Chapter 10

This Act clarifies the law relating to trustee liability and the responsibility of the trust fund and trustees if a trustee is sued. The amendments make funds available to pay legal costs. If the trustee is found not to have acted honestly and in good faith, the provisions require the trustee to reimburse the fund.

This Act came into force on April 27, 2006.

The Veterinarians Amendment Act, 2006 *

(Bill 28) Chapter 36

This Act amends *The Veterinarians Act, 1987* to update and clarify the procedures for the investigation of professional conduct complaints. The Act allows for disciplinary action to be taken against former members of the association. It amends the eligibility requirements for members of the council by allowing a member to be elected as a member of the council if the member holds a valid general practice licence issued by the association and is engaged in the practice of veterinary medicine in Saskatchewan. The Act updates the term "animal health technician" to "veterinary technologist". It also includes updated fines and penalties for non-compliance with the Act.

The amendments came into force on July 1, 2006.

The Victims of Crime Amendment Act, 2006 / Loi de 2006 modifiant la Loi de 1995 sur les victimes d'actes criminels

(Bill 32) Chapter 37

This amendment Act:

- includes a list of guiding principles setting out how victims of crime should be treated;
- changes the application period for compensation claims from one to two years from the date of the victim's injury or death, and authorizes the minister to extend this period where it is reasonable to do so;
- for victims of sexual abuse, makes the application period for compensation claims begin to run on the date the crime is reported to police;
- provides for compensation to immediate family members of homicide victims for the costs of counselling after the victim's death;
- allows the minister to refuse or reduce compensation in certain circumstances;
- provides an appeal process.

This Act came into force on December 1, 2006.

The Wildlife Amendment Act, 2006 / Loi de 2006 modifiant la Loi de 1998 sur la faune

(Bill 34) Chapter 11

This Act amends *The Wildlife Act, 1998* to provide that a court may, on application, order the continued detention of seized wildlife, articles, vehicles or things beyond 90 days, for a specified period of time, if the continued detention might reasonably be required for the purpose of an investigation, trial, inquiry or hearing pursuant to the Act and it is in the interests of justice to make the order.

The Act also provides that if live wildlife is seized, the wildlife is to be maintained or disposed of in the manner approved by the minister, which may include confinement, deportation, release to the wild, sale, or destruction in a humane manner. If the person from whom live wildlife was seized is convicted of an offence pursuant to the Act or the regulations, the Crown is not liable to that person for any disposition of the wildlife. If the person from whom the wildlife was seized is not convicted, the Crown's liability for any wildlife disposed of is limited to its fair market value at the time of its seizure.

The amendments also provide that if a person is convicted of an offence pursuant to the Act or the regulations, all big game licences, game bird licences, fur licences and any other licence that the minister may determine are automatically cancelled on the date of conviction, without further action or notice. The minister is required to give notice to the person of any licence cancelled. The court is given additional powers to extend the period during which a person is prohibited from applying for a licence pursuant to the Act or the regulations.

The Act also allows a prosecution to be commenced at any time within two years of the date the Minister becomes aware of the alleged contravention.

This Act came into force on April 27, 2006.

The Wildlife Habitat Protection Amendment Act, 2006

(Bill 33) Chapter 12

This Act amends *The Wildlife Habitat Protection Act* to remove certain Crown lands from the protection of the Act as designated wildlife habitat lands.

This Act came into force on April 27, 2006.

* **These Bills were introduced in 2005 but not passed until 2006**. The short titles of these Bills were corrected by the Office of the Law Clerk and Parliamentary Counsel, to indicate the year in which the Act was passed and receive Royal Assent.